

The Current State of the United States Army: The Numbers, the  
Needs, and the Consequences

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## **Introduction**

Throughout history, the Army has used a multitude of methods to fill its ranks. These methods have ranged from conscription to an all volunteer Army. Since the advent of the all-volunteer military in 1973, the way the Army obtains recruits and maintains its numbers has taken on new importance in today's post 9-11 world. Moreover, now the Army "is expected to grow by at least 74,200 Soldiers<sup>1</sup>." The Army is focusing on various incentives and new sources of candidates to meet the new manpower requirements<sup>2</sup>. However, the Army is neglecting one source of sustainment: candidates and service members who have been convicted of minor crimes. For many of these individuals, the Army represents a second chance at life: Anyone, regardless of one's past, can succeed based upon performance. To these individuals, the Army is about hope, not punishment. Consequently, the Army should recruit and retain Soldiers that have committed minor crimes instead of barring their enlistment or discharging them to support the global war on terrorism.

## **Definition of Crime**

From a sociological view point, crime is defined "as an offense against morality; it is deviant behavior that violates prevailing cultural norms prescribing how humans ought to behave

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<sup>1</sup> United States Army, "Grow the Army." <http://www.army.mil/growthearmy/> (accessed December 8, 2008).

<sup>2</sup> United States Army, "Benefits." <https://www.goarmy.com/benefits/education.jsp> (accessed Decemcer 8, 2008).

normally<sup>3</sup>." Minor crimes usually consist of a public wrong such as public intoxication, simple assault, fighting in public, possession of marijuana, or speeding. Major crimes are those crimes that are considered felonies such as rape, murder, shooting with the intent to kill, drug trafficking, or child abuse.

One has to understand, however, that the concept of crime changes with the political, social, economic context, and climates of the world. Furthermore, crime and the way laws are interpreted, affect the way law enforcement is conducted and punishment is levied, which suggest that individuals with criminal records should be looked at on a case-by-case basis. The recruits and Soldiers who commit crimes may not be habitual criminals; they could simply be individuals who made bad decisions, exercised poor judgment, or were affected by extenuating circumstances beyond their control.

According to the House of Representatives' Oversight and Government reform Committee, the number of recruits admitted to the Army with felony records jumped from 249 in 2006 to 511 in 2007.<sup>4</sup> The offenses for which recruits obtained waivers ranged from armed robbery and burglary to taking/possessing narcotics.<sup>5</sup>

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<sup>3</sup> Merriam Webster Dictionary Online, "Crime." <http://www.merriam-webster.com/dictionary/crime> (accessed December 9, 2008).

<sup>4</sup> Department of the Army, "Army Regulation 601-210 Active and Reserve Components Enlistment Program." June 7, 2007.[http://www.army.mil/usapa/epubs/pdf/r601\\_210.pdf](http://www.army.mil/usapa/epubs/pdf/r601_210.pdf) (accessed January 10, 2009).

<sup>5</sup> Department of the Army, "Army Regulation 601-210 Active and Reserve Components Enlistment Program." June 7, 2007.[http://www.army.mil/usapa/epubs/pdf/r601\\_210.pdf](http://www.army.mil/usapa/epubs/pdf/r601_210.pdf) (accessed January 10, 2009).

Soldiers have many different reasons for joining the profession of arms; however, one reason is their desire for a better life. For many of these Soldiers, adapting to Army life is difficult. The Army tests these Soldiers in ways they have never been tested before.

### **The Role of the Army Recruiter**

When a potential recruit first meets a recruiter, he/she is introduced to the Army values and their meaning. Additionally, these Army values are re-integrated throughout their training: loyalty, duty, respect, selfless service, honor, integrity, personal courage. These values guide the thinking, behavior, and professional ethos of every Soldier.

Screening applicants for moral and administrative criteria is the first step in the recruiting process. The recruiter will interview the applicant about any records of arrest, charges, juvenile court adjudications, traffic violations, probation periods, and dismissed or pending charges or convictions, including those that have been expunged or sealed.

When recruiters deal with potential recruits that have criminal records for minor crimes such as traffic violations, the recruit does not need a waiver to join the Army. If a potential recruit has two to five misdemeanors, they must have a waiver to be eligible. For crimes such as assault and battery, marijuana possession, and loitering, the potential recruit has

to do a full physical which includes a drug and alcohol test. In addition, the recruit still has to pass the Armed Services Vocational Aptitude Battery (ASVAB) and a physical fitness test to be eligible for the waiver. For selection, if a recruit receives a waiver, they cannot join the Army until all fines have been paid, probation is completed, and they have completed a six month waiting period.

For prior service Soldiers who desire to re-enter the Army, the conditions are based on their re-entry code (RE). This code is located on their DD 214 and is given to them upon discharge. The code reflects the military status they had at the time of discharge.

#### **Return-to-Duty Program**

Throughout the history of the Army, AWOL/desertion has been the most frequent offense committed. As a result, a program was created to retain Soldiers during the wars and to save them from a dishonorable discharge because these actions would have hindered them in civilian life. During World War II, 42,373 of the 84,245 inmates were returned to duty either during or after confinement, while during the Korean War, 4,800 of the 18,653 inmates were returned to duty.<sup>6</sup>

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<sup>6</sup> Haasenritter, D.K. . "The Military Correctional System: An Overview *Corrections Today* (2003), (accessed December 22, 2009).

Today, the return-to-duty program is comparatively minuscule. The Air Force, Marines, and Navy have their own active, structured facility and programs. Even though, these programs are in existence in these branches of service, it has been reduced drastically due to their other service commitments with the war on terrorism.

### **Air Force Return to Duty Program**

The purpose of the Air Force Return to Duty program is to provide a source of rehabilitation to selected enlisted personnel. These personnel must be volunteers, and be recommended to receive a second chance. "Entry into the program, itself does not guarantee success. Only about 40 percent of more than 17,000 men and women who have entered the program since 1951 have returned to duty."<sup>7</sup> This program is structured to be much harder than boot camp. The point is not to make it impossible, but to send a message of what could be lost.

### **Correctional Custody Unit**

The Correctional Custody Unit (CCU) was designed to be a means of correcting minor infractions of discipline without having to stigmatize the offender with a court-martial sentence

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<sup>7</sup> Bosker, A.J.. ""CSAF Witnesses Air Force Return to Duty Program*U.S. Air Force Press Releases* (2009), [http://findarticles.com/p/articles/mi\\_prfr/is\\_200210/ai\\_1570588739](http://findarticles.com/p/articles/mi_prfr/is_200210/ai_1570588739) . (accessed December 22, 2009).

or confinement.<sup>8</sup> The program is designated for enlisted personnel in the ranks of E-1 to E-3. This curriculum consists of strenuous work, motivational/attitude training, and counseling. The structure of the program is primarily for the first term Marine/Sailor who has not adjusted to military life. The awardees in the CCU are very young. The majority of the Marine/Sailors are under 21. Most are in the CCU because of their undisciplined acts. The process may seem like boot camp, but these Sailors and Marines have earned their title, but must do a lot more to keep it. If they leave custody unchanged, their chance of making a successful adjustment is negligible.<sup>9</sup>

Because the Army will continue to grant waivers, it needs a return to duty program. It needs to be structured in a fashion similar to the Correctional Custody Unit. Also, it needs to be integrated with the Warrior Transition Units (WTU) and the Army Substance Abuse Program (ASAP). During this treatment and rehabilitation, the Soldiers attend individual and group counseling plus develop a personal rehabilitation plan. The WTU and ASAP should be task organization with a social worker, a psychologist, substance abuse and mental health technicians,

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<sup>8</sup> Naval Brig Pearl Harbor, "Correctional Custody Unit." <https://www.cnic.navy.mil/PearlHarbor/Programs/CommandandStaff/NavalBrig/CorrectionalCustodyUnit/index.htm> (accessed December 15, 2008).

<sup>9</sup> Naval Brig Pearl Harbor, "Correctional Custody Unit." <https://www.cnic.navy.mil/PearlHarbor/Programs/CommandandStaff/NavalBrig/CorrectionalCustodyUnit/index.htm> (accessed December 15, 2008).

military leaders and a chaplain on staff. They should conduct constant assessments of each Soldier in the program. The program should last from six to nine months followed by an additional probationary period for three months. During the probation period, the Soldier will not progress in rank. Upon completion of the probation period, the Soldier will return to regular status in the Army.

#### **Counter Arguments**

Despite the many arguments in this paper that contend for rehabilitating soldiers not solely punishing them, critics will claim that there are many disadvantages to this decision. Chief among these arguments is that there will be a loss of unit morale, unit cohesion and a general lack of military discipline. In fact, the opposite would occur. Soldiers who make mistakes, would have the opportunity to receive the counseling and the support needed to change their lives. Instead of simply discharging a soldier with a bad conduct discharge and writing them off, rehabilitating a soldier would allow them to learn from their mistakes and give them a second chance at success.

Another counter argument to rehabilitating soldiers is that in today's military climate where the Army is fighting wars on two fronts, the Army does not have the time or the resources to commit to marginal soldiers. However, the Army already commits its resources to marginal soldiers and potential recruits. The

Army already allows recruits to enter the Army with the use of waivers but there is no program that addresses what happens to these recruits and soldiers once they enter the actual Army and have difficulties. The simple truth is that these soldiers often need extra support and counseling that units and their command structure cannot provide. The Army must adopt a mixed stance toward rehabilitation instead of just solely on punishment.

### **Conclusion**

Soldiers are not perfect. Everyone has had a different upbringing and will have faults. Nevertheless, the military takes a special type of individual, and the military has the responsibility to retain them. When Soldiers come into the military they know they are enroute to a great experience; sometimes they forgot what they were molded to be. Everyone should have a second chance, and many success stories prove that. However, too much time is spent in every chain-of-command dealing with problem children, so programs and processes must be set up to deal with them. If we value each and every Soldier's lives, an issue should not exist. Who would ever think that anything would be more important than a human life!

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